

Docket No.: 062807-0131



PATENT

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
	:	
Yasushi SHIBATA, et al.	:	Confirmation Number: 3415
	:	
Application No.: 10/617,883	:	Group Art Unit: 2876
	:	Allowed: August 11, 2005
Filed: July 14, 2003	:	Examiner: D. I. Lee
	:	
For: MEDIUM HANDLING MACHINE	:	

**COMMENTS RESPONSIVE TO STATEMENT OF  
REASONS FOR ALLOWANCE  
UNDER 37 C.F.R. § 104(e)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance accompanied the August 11, 2005 Notice of Allowability regarding the above-identified application and was copied in the August 24, 2005 supplemental mailing of that Notice. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the stated reasoning.

The Statement first discusses several art documents and then asserts that those documents alone or in combination would not have taught one of skill in the art "to provide the specific arrangement ... as set forth in the claims." The recitation of the arrangement that is not taught by the art, however, seems to mix subject matter found in several different independent claims. The sensor positioned higher than a height of the medium, for example, is recited in claim 1; but the height recitation does not appear in independent claim 12. As another example, claim 12

references the movement of the shutter from a fully opened position to an intermediate position, but there is no similar recitation in independent claims 1 and 8.

Clearly, the claims differ as to language and scope, and it is submitted that each claim is independently patentable in its own right, not just for one general reason as suggested by the Statement. Also, the Statement's mixing of features from different claims, should not impose any cumulative requirement for patentability or related estoppel with regard to any claim elements. Each claim should be patentable based on its own specific recitations, without reading any limitations from other different claims, based on the somewhat confusing Statement.

It is respectfully submitted that the allowed claims should be entitled to the broadest reasonable interpretation and to the broadest range of equivalents that are appropriate in light of the language of the claims, the supporting disclosure and Applicants' prosecution of the claims, without reference to the Statement of Reasons for Allowance.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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**Date: November 10, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**